DOCKET NO.: MSFT-3026/307009.01
Application No.: 10/776,370
Office Action Dated: May 14, 2008

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

REMARKS

Claims 1-24 and 26-30 stand rejected in the pending application. Claim 11 stands rejected under 35 U.S.C. §112. Claims 1-24 and 26-30 stand rejected under 35 U.S.C. §101 and 35 U.S.C. §103. Applicants have canceled independent claims 1, 11 and 21 and dependent claims 2-5, 12-15 and 22-25. **Applicants have added claims 31-48. Support for the newly added claims and related amendments can be found throughout Applicants' Specification, in particular paragraphs [0024] and [0043]-[0047].**

Thus, following entry of the present response, claims 6-10, 16-20 and 26-48 will be pending. Applicants submit that the newly added claims overcome any of the rejections directed to the canceled claims and patentably define over the cited references.

Examiner Interview

The undersigned would like to thank Examiner Pannala for conducting an interview on June 10 at 2:00pm. During the interview, the Examiner and the undersigned discussed the newly proposed claims and the 35 U.S.C. §112, 35 U.S.C. §101 and 35 U.S.C. §103 rejections to the extent that they may still be applied against the new claims. Any updates to the claims were made, as suggested by the Examiner, to comply with 35 U.S.C. §112 and 35 U.S.C. §101. With respect to the 35 U.S.C. §103 rejection, the undersigned emphasized the claim language recited in each of the newly proposed independent claims and the distinctions from the prior art, including that which is described in the cited references. An agreement was not reached, but the Examiner stated that he would further consider the points raised in the interview and any additional remarks included in the present response.

35 U.S.C. §112 Rejection

Claim 11 stands rejected under 35 U.S.C. §112 as being indefinite for being directed to both a "system" and a "method." Applicants have canceled claim 11, so the rejection is now moot. Accordingly, Applicants request withdrawal of the 35 U.S.C. §112 rejection of claim 11.

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35 U.S.C. §101 Rejection

Claims 1-24 and 26-30 stand rejected under 35 U.S.C. §101 for not being directed to statutory subject matter. The Office Action asserts that independent claims 1, 11 and 21 deal with simple abstract ideas, claiming a simply mathematical formula or computer disk that solely stores a mathematical formula. Applicants have canceled independent claims 1, 11 and 21 and submit that newly added independent claims, 31, 37 and 43 were written in accordance with the suggestions made by the Examiner and are in compliance with 35 U.S.C. §101.

35 U.S.C. §103 Rejection

Claims 1-2, 4-12, 14-22 and 24-30 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,681,383 ("Pastor) in view of U.S.P.A. Pub. 2002/0059204 A1 ("Harris"). Claims 3, 13 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,681,383 ("Pastor) in view of U.S.P.A. Pub. 2002/0059204 A1 ("Harris") in view of U.S. Patent No. 7,020,660 ("Woodring"). Applicants have canceled claims 1-5, 11-15 and 21-25. Thus, the rejections directed to those claims are now moot.

Applicants have added claims 31-48. Applicants submit that the newly added claims overcome any rejections directed to the canceled claims made over Pastor in view of Harris, as set forth in the following remarks.

Added claim 31 recites:

> 31. A computer-implemented method for executing .NET managed code in a database management system (DBMS) having a database server, the method comprising:
> invoking .NET managed code and an invocation context in the database server;
> exposing the invocation context to the database server through the utilization of an in-process provider; and
> executing the .NET managed code in the database server based on the invocation context.

The Office Action asserted Pastor, in view of Harris, against now canceled claims 1-2, 4, 5, 11-15, 21, 22, 24 and 25 and the presently pending dependent claims 6-10, 16-20 and

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26-30. As indicated by the Office Action, Pastor does not teach executing code on a database server in a DBMS, which is also recited in newly added claim 31. Applicants agree, and further submit that Pastor does not teach the remaining elements of newly added claim 31, which include "invoking .NET managed code and an invocation context in the database server" and "exposing the invocation context to the database server through the utilization of an in-process provider," both elements which enable the claimed execution of "the .NET managed code in the database server based on the invocation context."

The Office Action asserted that Harris teaches executing .NET managed code *in the DMBS* based on an invocation context (Office Action, page 5). As described in the sections of Harris cited by the Office Action, Harris generally describes an application that resides on a web server (Harris, paras. [0074] and [0062]). However, Harris' web server is *distinct* from the database server that is part of the claimed DBMS, and thus, Harris does not teach the execution of .NET managed code *in the DBMS*. Harris, at best, describes the *out-of-process* execution of code as it existed in the prior art. Applicants recognized that such out-of-process execution of code is not always desirable, and claimed a solution that is distinct from prior art systems such as that described in Harris. Thus, any reference to an execution of .NET managed code between the interface of Harris' web server and an API that ultimately sends a customized query to Harris' DBMS does *not* teach a database server *in which* the managed code *is directly executed*.

Furthermore, the customized query in Harris is transferred to a data access model and then to the data source *(i.e.,* database). Applicants note that Harris' data source is defined as a database that is format compatible with MySQL, SQL, Oracle, Informix, Sybase, Freedom Engine, Access, ODBC, DB2, etc. These formats are used for code that is written and executed by the *client*, *not* executed on the database server. In particular, the out-of-process execution of code using these formats results in queries sent *to* the database, but does not result in execution of the code *within* the database. Thus, Harris does not teach the execution of "the .NET managed code in the database server based on the invocation context."

Furthermore, Harris makes no mention of *exposing an invocation context* or executing .NET managed code in the DBM*S based on that invocation context*. Applicants submit that Harris, like Pastor, also does not teach "invoking .NET managed code and an invocation

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context in the database server" and "exposing the invocation context to the database server through the utilization of an in-process provider."

The Office Action states that accessing information from suppliers in response to a buyer's requirements would be obvious by combining Pastor and Harris (Office Action, page 5). However, Applicants are unclear as to the relevance of accessing information from suppliers in response to a buyer's requirements to the claimed method of executing managed code in a database server. Thus, Applicants submit that the claimed elements are not made obvious in view of Pastor or Harris, alone or in combination.

The Office Action asserted Pastor, in view of Harris and Woodring against now canceled claims 3, 13 and 23, which depended from claims 1, 11 and 21, respectively, and now depend from newly added claims 31, 37 and 43, respectively. Applicants note that, to the extent the newly added claims have any similarities to the canceled claims, Woodring does not cure the deficiencies of Pastor and Harris as discussed above. In particular, Woodring, like other prior art systems, is directed to generating source code via an out-of-process application interface that is used to target a DBMS and does *not* teach a method of executing .NET managed code *in* the database server in the manner claimed.

Accordingly, Applicants submit that neither Pastor nor Harris nor Woodring, alone or in combination, teach any of the features of the presently pending claims. Because claim 31 patentably defines over Pastor, Harris and Woodring, claims 6-10 and 30-37 that depend from claim 31 are likewise allowable.

Independent claims 37 and 43, recite a system and computer-readable instructions, respectively, for executing .NET managed code in a database server with the features of the DBMS as recited in claim 31. Therefore, for the foregoing reasons regarding claim 31, Applicants submit that claim 37, claims 16-20 and 38-41 that depend from claim 37, claim 43, and claims 26-30 and 44-48 that depend from claim 43, are likewise allowable.

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CONCLUSION

In view of the foregoing, Applicants respectfully submit that the canceled claims obviate the rejections and the added claims are allowable. Applicants submit that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. The Examiner is encouraged to contact the undersigned attorney, Lori Anne D. Swanson (215.564.8997) to discuss the resolution of any remaining issues.

Regards,

Date: August 14, 2008

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